

**IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES
SENTENCING**

CASE NO.: CR-01-00083-002

DATE: October 25, 2006

HON. LARRY A. BURNS, Designated Judge, Presiding

Law Clerk: None Present

Court Reporter: Wanda Miles

Courtroom Deputy: Leilani Toves Hernandez

Electronically Recorded: 9:03:08 - 9:17:25

CSO: N. Edrosa

APPEARANCES:

Defendant: Ji Sung Shin aka James Shin

Attorney: David J. Highsmith

☒ Present ☒ Custody ☐ Bond ☐ P.R.

☒ Present ☒ Retained ☐ FPD ☐ CJA

U.S. Attorney: Karon Johnson

U.S. Agent:

U.S. Probation: Stephen Guilliot

U.S. Marshal: D. Punzalan / S. Lujan

Interpreter: Dong Hwa Lee

Language: Korean

PROCEEDINGS: Sentencing

- Court stated the appropriate Offense Levels.
- Government's Motion for downward departure was granted.
- Defendant committed to the Bureau of Prisons for a term of 48 months with credit for time served.
- Upon release from imprisonment, defendant is placed on supervised release for a term of one year, with conditions (refer to Judgment for conditions of supervised release).
- Defendant was ordered to pay a special assessment fee of \$100.00.
- Court stated the justification of the sentence imposed.
- Defendant advised of appeal rights.
- Defendant remanded to the custody of the U.S. Marshals Service.

NOTES: Defense moved for the defendant's release for one week prior to his transfer to the designated Bureau of Prisons to allow for family visitation. The Court denied the motion and stated its reasons. However, counsel was instructed to notify the Court, by today, if the defendant's mother is able to come to Guam and the Court will issue an Order for the stay of the defendant on Guam to permit visitation at the facility.

Government's oral Motion to Dismiss Counts I thru IV, and VI was granted.